



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Robertson, Anschutz, Schneid, Crane &  
Partners, PLLC**

130 Clinton Road, Suite 202

Fairfield, NJ 07004

Telephone Number 973-575-0707

Attorneys For Secured Creditor

Aleisha C Jennings, Esq. (049302015)

Order Filed on September 15, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**In Re:**

**Joshua E. Kelly,  
Debtor.**

**CASE NO.: 23-15701-CMG**

**CHAPTER 13**

**ORDER RESOLVING OBJECTION TO CONFIRMATION**

The relief set forth on the following pages is hereby **ORDERED**.

**DATED: September 15, 2023**

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

THIS MATTER having come before the Court on Home Point Financial Corporation (“Secured Creditor”) objection to confirmation of debtor’s chapter 13 plan by and through its counsel, Robertson, Anschutz, Schneid, Crane & Partners, PLLC, as to the real property commonly known as 144 Belmont Avenue North Plainfield, NJ 07060 (the “Subject Property”), and Angela Nascondiglio Stein, Esq. representing Joshua E. Kelly (“Debtor(s)”), and for good cause it is ORDERED that Secured Creditor’s OBJECTION TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN, docket entry 14 filed on July 19, 2023 is resolved, subject to the following conditions:

For good cause shown, it is **ORDERED** that Secured Creditor’s Objection is resolved, subject to the following conditions:

1. This order shall be incorporated in and become a part of any Order Confirming the Chapter 13 Plan in the herein matter.
2. Debtor acknowledges the pre-petition arrears due and owing to Secured Creditor are \$14,615.32, pursuant to Secured Creditor’s timely filed proof of claim 10-1 filed on August 18, 2023.
3. Debtor shall complete the loss mitigation process by November 14, 2023, or as extended by court order.
4. While loss mitigation is pending, Debtor shall remit monthly adequate protection payments to Secured Creditor in the amount of \$1,400.00.
5. Secured Creditor shall retain its first mortgage lien on the Property and none of its rights are being modified.
6. The Chapter 13 Trustee shall make payments to Secured Creditor toward the pre-petition arrears while loss mitigation is pending.
7. In the event loss mitigation is denied, the Debtor shall have 15 days from the date decision is rendered to: 1) file an amended Chapter 13 Plan to cure the pre-petition arrears as stated in paragraph 2 above, or 2) to convert the Chapter 13 petition to a Chapter 7 petition, 3) surrender the property, and/or 4) proceed with this bankruptcy case as deemed appropriate by the court.

In re:  
Joshua E. Kelly  
Debtor

Case No. 23-15701-CMG  
Chapter 13

District/off: 0312-3  
Date Rcvd: Sep 15, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 17, 2023:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
db	+ Joshua E. Kelly, 144 Belmont Avenue, North Plainfield, NJ 07060-4458

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 17, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 15, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor Home Point Financial Corporation ajennings@raslg.com
Aleisha Candace Jennings	on behalf of Creditor Nationstar Mortgage LLC ajennings@raslg.com
Andre L. Kydala	on behalf of Creditor Nathaly Calles kydalalaw@aim.com kydalalaw@aim.com
Angela Nascondiglio Stein	on behalf of Debtor Joshua E. Kelly nascondiglio@middlebrookssapiro.com
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

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Date Recd: Sep 15, 2023

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Total Noticed: 1

Jessica M. Minneci

on behalf of Debtor Joshua E. Kelly jminneci@middlebrooksshapiro.com

Melinda D. Middlebrooks

on behalf of Debtor Joshua E. Kelly middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

U.S. Trustee

USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 9